

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 6, 13, 14, 18 and 25 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-25 are now pending in this application.

Interview Summary

The Applicants wish to thank the Examiner for the helpful and courteous telephone interview held on August 16, 2007. In the interview, the Examiner and the Applicants' attorney discussed the Elazar prior art in relation to the independent claims. The Examiner proposed amending claims 1 and 13 to recite the feature of the transmission of an alert to a user followed by providing the user with an opportunity to (re)join a conference. The Examiner indicated that, based on his prior experience and a quick search, he was not aware of any prior art disclosing these features.

Applicants have endeavored to effect these changes in the amended claims. The word "conference" has been added to reflect that the voice channels are conference-capable. The claims have also been amended to include subject matter relating to the transmission or facility for the transmission of an alert, and the ability to join a conference call after the alert is transmitted. The Examiner is requested to contact the Applicants' attorney if the amendments are not as envisioned.

Claims 1-25 As Amended Are Patentable Over The Prior Art

The Office Action rejected claims 1-25 under 35 U.S.C. §102(b) over Elazar, U.S. Pat. No. 6,959,079 (“Elazar”). Applicants request reconsideration of the application in light of the amendments and the remarks that follow.

Overall, Applicants note that Elazar is not analogous art. Elazar describes a call center system for call “monitoring”, where “monitoring” means monitoring by a human being. Customers call the call center and interact with agents (human beings) who may or may not be good at their jobs. The system of Elazar makes decisions about which calls to monitor, such that the performance of the agents can be evaluated. In contrast, embodiments of the present application are directed to conference call situations, where one or more parties may be involved in different sub-calls, and need to be informed about activities in their calls. Various communication channels carrying the calls are evaluated automatically for the occurrence of certain features, which are then used to make decisions about which users the call should be switched to, or which users need to be alerted.

Despite these differences, Applicants have nevertheless amended the independent claims to advance prosecution. Claims 1, 13 and 25 have been amended to include the feature that a user terminal receives an alert relating to a monitored conference channel, and is provided with the opportunity to join the channel.

The cited art does not teach, suggest or disclose these features. As discussed in the interview, Elazar discloses at most that a supervisor station can receive realtime audio from a voice line. Elazar does not indicate that a supervisor receives an alert or that the supervisor has the ability to join the call (as opposed to simply storing or listening to the audio in simplex mode).

A review of Elazar in light of the dependent reveals that claims 10 and 22 are clearly and independently patentable over Elazar, because subject matter relating to a user-definable pre-determinable condition is not taught, suggested or disclosed in Elazar. The Office Action points to col. 6, lines 12-20 as teaching this subject matter. This portion of Elazar recites:

Reference is now made to FIG. 9, which is a simplified flowchart illustration of an implementation of determining step 200 of FIG. 3, operative in accordance with a preferred embodiment of the present invention. In the method shown the determining step comprises associating the agent with a supervisor, with the agent's supervisor typically maintained in admin database 46. The number of calls which the supervisor is to monitor in a given time period is then determined, the information typically maintained in schedule database 38. The monitoring condition is satisfied if recording the call currently in progress and within the time period will not cause the number of calls to be exceeded.

This is simply not a teaching of the amended subject matter, because it does not indicate that the user can define a predeterminable event. Part of the difficulty is that a different system is being described: As noted above, Elazar describes call center monitoring, while the present application generally deals with conference call-type situations. However, even if one were to describe a supervisor terminal as a user terminal, and *assume* that there is an alert generator, the passage above would not disclose all of the subject matter of claims 10 and 22. Specifically, the passage does not indicate that the supervisor chooses an event which sets an alert (which makes sense, since there are no alerts described in conjunction with this passage), but rather that the supervisor monitors agent calls on a set schedule not of his or her choosing.

Dependent claims 6 and 18 are also believed to be clearly and independently patentable over Elazar, because subject matter relating to the transmission of an audible alert to the user is not taught, suggested or disclosed in Elazar. The Office Action points to col. 3, lines 1-4 as teaching this subject matter. This portion of Elazar recites:

...provides captured audio and screen data to one or more supervisor workstations 18 either in real-time or later in a playback mode where audio, screen data, and other data may be monitored separately or simultaneously.

Again, this does not anywhere indicate that an *audible* alert can be transmitted to a user. Instead, it indicates that an audio feed (*e.g.* a normal telephone conversation) can be monitored by a user. This is no more than standard call center activity and does not in any

way disclose the claimed subject matter. The Applicants thus respectfully request withdrawal of the rejections. As the remaining claims are ultimately dependent from claims 1 or 13, these claims are likewise submitted to be patentable over Elazar.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 C.F.R. § 1.25. Additionally, charge any fees to Deposit Account 08-2025 under 37 C.F.R. § 1.16 through § 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

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